From:

Mark Scott

Sent:

Monday, 14 April 2014 12:15 PM

To:

James Spigelman; Cheryl Bart. AO; Jane Bennett; Fiona Stanley; Simon Mordant; Steven

Skala AO; Matt Peacock; 'Fiona Stanley@telethonkids.org.au'; Mark Scott

Cc:

Louise Lander; Ann Chesterman

Subject:

Apology to Chris Kenny

Attachments:

Good morning

As per our Board discussion, I have apologised to Chris Kenny this morning. This was always our schedule, despite the comments from Maurice Newman this morning.

I have spoken with Chris Kenny and Chris Chapman from ACMA this morning – and Richard Finlayson has spoken with Julian Morrow of The Chaser

Attached find the statement

Regards

Mark



## Mark Scott Managing Director, Australian Broadcasting Corporation

+61 2 8333 5151

scott.mark@abc.net.au

F +61 2 8333 5172

Twitter @abcmarkscott



I wish to apologise to Mr Chris Kenny for the controversial 'The Hamster Decides' skit run by ABC-TV in September last year.

At the time of broadcast, I described the skit as tasteless and undergraduate, but noted that it raised questions about the nature of satire and the boundaries of free speech afforded to satirists, comedians and cartoonists.

The audience of The Chaser expect fierce, robust and irreverent satire. Final decision-making on what goes to air, however, rests with the ABC.

There are different matters at stake here: whether the ABC should have made the editorial decision to broadcast the skit and separately, whether broadcasting such a skit was within the ABC's editorial guidelines for satire and offence. Mr Kenny's decision to take legal action on the grounds of defamation is also a separate matter.

Notwithstanding any ACMA finding however, I have come to the view with the Director of Television that the ABC should not have put the skit to air.

Having reviewed the issue, in my opinion it falls short of the quality demanded by our audience and normally delivered by our programming. While Mr Kenny is a strong and persistent critic of the ABC, and can expect to be a subject of satire, the depiction of him was very strong in the context of the satirical point attempted.

As a consequence, I would like to apologise to Mr Kenny for the ABC having put the skit to air, his depiction in the skit and because it was triggered by his criticism of the ABC. I am sorry for the distress this incident has caused him and his family. I have also called Mr Kenny today to convey this apology and put it in writing to him.

While I had been waiting for internal and ACMA review processes to be completed before issuing this statement, I now believe that was a mistake and I regret the delay in making this apology.

Mark Scott - Managing Director ABC

## CHRIS KENNY APOLOGY

April 2014



 $e^{\frac{1}{2} \frac{(k-2)}{2}} e^{-k} = e^{\frac{k}{2} \frac{k}{2}}$ .